

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LAWRENCE and SHANA HILL, a Washington
marital community; UNITED SERVICES
AUTOMOBILE ASSOCIATION, as subrogee
of Lawrence and Shana Hill, a reciprocal inter-
Insurance exchange,
Plaintiff,

vs.

GREPOW, INC., a California corporation,
Defendant.

NO. 3:22-cv-5418

NOTICE TO PLAINTIFF OF
REMOVAL OF ACTION TO
UNITED STATES DISTRICT COURT

TO: Clerk, United States District Court
Western District of Washington

TO: Lawrence and Shanna Hill, a marital community; United Services Automobile
Association, as subrogee of Lawrence and Shana Hill, Plaintiffs;

AND TO: Roger Townsend, Counsel for Plaintiffs Lawrence and Shana Hill; and Kyle A
Farnam, Counsel for Plaintiff United Services Automobile Association.

Defendant, Grepow, Inc. ("Grepow"), by and through undersigned counsel of record,
hereby respectfully files this Notice of Removal pursuant to 28 U.S.C. §1441, to remove Case
No. 22-2-00051-16 from Jefferson County Superior Court to the United States District Court for
the Western District of Washington. In support of this Notice, Grepow submits the following:

NOTICE TO PLAINTIFF OF REMOVAL OF ACTION
TO UNITED STATES DISTRICT COURT - 1

FLOYD, PFLUEGER & RINGER P.S.
3101 WESTERN AVE., SUITE 400
SEATTLE, WA 98121-3019
TEL 206 441-4455
FAX 206 441-8484

1 1. That on or about April 22, 2022, Plaintiffs filed a Complaint in Jefferson County
2 Superior Court against Grepow, Inc, a foreign corporation. Specifically, Plaintiffs assert
3 product liability claims against Grepow for the alleged malfunction of a battery purchased by
4 Plaintiffs and installed in Plaintiffs' home, which Plaintiffs allege started a fire and caused
5 property damages. *See* Complaint attached as Exhibit A.

6 2. The above-referenced state court action may be removed to the United States
7 District Court under 28 U.S.C. §1441(b)(1) and 28 U.S.C. §1332(a), because Defendant
8 corporation is incorporated in the State of California and has their principal place of business in
9 Livermore, California. Accordingly, there is complete diversity between Plaintiff and
10 defendants.

11 a. Plaintiff Lawrence and Shana Hill are residents of Washington State, and
12 their insurer, United Services Automobile Association ("USAA") is deemed a citizen of
13 their state of residence for this matter. *See* Complaint attached as Exhibit A.

14 b. Grepow was incorporated on December 8, 2015, in California. It
15 maintains its principal place of business in Livermore, California, Address: 290
16 Lindbergh Avenue, Livermore, California, 94551. Grepow operates as a distributor of
17 batteries. *See* Exhibits B and C.

18 3. Grepow has a good faith belief that the amount in controversy and the amount of
19 damages Plaintiffs seek exceeds \$75,000 based upon (1) the nature of the property damage
20 claim; (2) the nature and basis of Plaintiffs' claims against Defendant, and (3) the nature and
21 factual basis for Plaintiffs' asserted prayer for relief and asserted damages.

22 4. Under Local Rule 101(b)(1), Grepow has attached a copy of the Complaint in
23 this matter. Grepow will file herewith copies of all records from the state court proceeding in
24 accordance with Local Rule 101(c).

25 5. Copies of this Notice of Removal are served upon all parties to the underlying
litigation and will be filed promptly with the clerk of the Jefferson County Superior Court.

NOTICE TO PLAINTIFF OF REMOVAL OF ACTION FLOYD, PFLUEGER & RINGER P.S.
TO UNITED STATES DISTRICT COURT - 2

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DECLARATION OF SERVICE

Pursuant to RCW 9A.72.085, the undersigned hereby declares under penalty of perjury of the laws of the State of Washington that on June 8, 2022 she caused to be transmitted for service a true and correct copy of the foregoing document using the CM/ECF system of the above-captioned court, which will automatically notify all counsel of record, as well as via electronic mail as addressed below.

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*Counsel for Plaintiff
Lawrence and Shana
Hill*

☐ Via Messenger
☒ Via E-Service
and/or Email
☐ Via Facsimile
☐ Via U.S. Mail

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*Counsel for Plaintiff
United Services
Automobile Association*

☐ Via Messenger
☒ Via E-Service
and/or Email
☐ Via Facsimile
☐ Via U.S. Mail

DATED: June 8, 2022.

s/Sean C. Moore
Sean C. Moore, Legal Assistant

NOTICE TO PLAINTIFF OF REMOVAL OF ACTION
TO UNITED STATES DISTRICT COURT - 4

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